



# APCO International

ASSOCIATION OF PUBLIC-SAFETY COMMUNICATIONS OFFICIALS INTERNATIONAL, INC.

Nov 17 3 18 PM '99  
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November 15, 1999

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The Honorable William Kennard  
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Federal Communications Commission  
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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

RE: Written *Ex Parte* Communication in WT Docket 99-168

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Dear Mr. Chairman:

I am writing to clarify APCO's position with respect to a current FCC proceeding regarding 36 MHz of spectrum located at 746-806 MHz. This 36 MHz of spectrum will be auctioned next year due to a reallocation from broadcast to other users. The disposition of the spectrum is important to APCO because of a prior FCC action, directed by Congress, to allocate 24 MHz of adjacent spectrum also in the 746-806 MHz band for public safety radio services.

A paramount concern of state and local governments throughout the United States is that the 24 MHz of spectrum allocated for public safety be protected from interference. In comments filed with the FCC in Docket No. 99-168, APCO expressed that it is "deeply concerned" that pending FCC proposals will result in interference to future public safety systems from adjacent-channel commercial mobile radio services and new broadcast-type services in the 746-806 MHz band. APCO further stated that "adjacent channel systems must be 'compatible' with similar ERP, antenna location and adjacent channel coupled power" in order to prevent interference with public safety systems. Literally, lives can be saved, or lost, depending on controlling interference to the public safety allocation.

APCO has gone on record with the FCC supporting allocating this spectrum in a manner that includes a guard band on all sides of the public safety spectrum that would protect against such harmful interference. Such a guard band, possibly

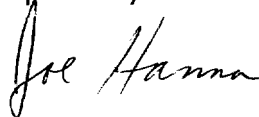
comprised of four 1.5 MHz blocks of spectrum, is a critical goal for APCO and its members. One specific proposal in this regard is to allocate these 1.5 MHz blocks of spectrum specifically to private mobile radio services (PMRS). These are services that support operations such as utilities network repair and maintenance, in-factory radio networks, railroad control systems, etc. Unlike commercial systems that seek the widest possible area of coverage, most private wireless systems are designed to cover discrete geographic areas and users, which should significantly reduce the potential for adjacent channel interference. Further, there is a decades-long tradition of coordination among this class of PMRS users and the public safety community that gives APCO confidence that interference into the public safety spectrum can be avoided.

PMRS use of adjacent channel spectrum provides another significant public benefit, as PMRS radio equipment is usually similar or identical to equipment purchased by public safety systems. Therefore, there can be important economies of scale resulting from allocating the spectrum to this PMRS user group. That, in turn, will lead to lower equipment costs for state and local government public safety agencies.

Free Space has submitted a proposal for low power density unlicensed service which it claims would protect adjacent channel public safety users. APCO previously indicated that the Free Space proposal appeared, on its face, to provide "excellent" interference protection. However, APCO has more recently received detailed technical information from Free Space and others regarding its proposal. Therefore, APCO is reserving further comment regarding the Free Space proposal until it has had an opportunity to review this technical information in further detail.

APCO reiterates that the Commission must not allow any radio service to operate in the 700 MHz band that would pose a danger of interference to public safety communications operations.

Respectfully submitted,

A handwritten signature in cursive script that reads "Joe Hanna".

Joe Hanna  
President

cc: Commissioner Susan Ness  
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